

041604



18334 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5557.P017

(maximum 12 characters)

First Named Inventor Kolstad et al.Title: BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL (AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND SELECTABLE NOISE FILTERExpress Mail Label No. EV320117633US

ADDRESS TO: Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X **Fee Transmittal Form (e.g., PTO/SB/17)**
 (Submit an original and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. X **Specification (Total Pages 55)**
 (preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
 or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. X **Drawings(s) (35 USC 113) (Total Sheets 7)**
5. X **Oath or Declaration (Total Pages 4)**
 - a. X Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
 (for Continuation/Divisional with Box 18 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet. (37 CFR 1.76)**
7. **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8. **Nucleotide and/or Amino Acid Sequence Submission**
 (if applicable, all necessary)
 - a. **Computer Readable Form (CRF)**
 - b. **Specification Sequence Listing on:**
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. **Statements verifying identity of above copies**

19587 U.S. PTO
10/825944

041604

| ACCOMPANYING APPLICATION PARTS | | |
|--|--|--|
| 9. | <input checked="" type="checkbox"/> Assignment Papers (cover sheet & documents(s)) | |
| 10. | <input type="checkbox"/> a. Separate 37 CFR 3.73(b) Statement (where there is an assignee) <input type="checkbox"/> b. Power of Attorney | |
| 11. | <input type="checkbox"/> English Translation Document (if applicable) | |
| 12. | <input type="checkbox"/> a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08) <input type="checkbox"/> b. Copies of IDS Citations | |
| 13. | <input type="checkbox"/> Preliminary Amendment | |
| 14. | <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) | |
| 15. | <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) | |
| 16. | <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). <u>Applicant must attach form PTO/SB/35 or its equivalent.</u> | |
| 17A. | <input type="checkbox"/> Claim for Foreign Priority | |
| 17B. | <input type="checkbox"/> Other: _____ | |
| 17C. | <input checked="" type="checkbox"/> Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666. | |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76: | | |
| <input type="checkbox"/> Continuation Of Prior Application No.: _____ (which is a _____ continuation/ which is a _____ continuation/ | <input type="checkbox"/> Divisional Examiner _____ (which is a _____ divisional/ which is a _____ divisional/ | <input type="checkbox"/> Continuation-in-part (CIP) Group Art Unit _____ (which is a _____ CIP of prior application no. _____, which is a _____ CIP of prior application no. _____) (List entire chain of priority) |
| Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority. For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts. | | |
| 19. Correspondence Address Customer Number or Bar Code Label _____ <div style="text-align: center;">or</div> <div style="text-align: right;">(Insert Customer No. or Attach Bar Code Label here)</div> <input checked="" type="checkbox"/> Correspondence Address Below NAME <u>Todd M. Becker</u> <u>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP</u> ADDRESS <u>12400 Wilshire Boulevard</u> <u>Seventh Floor</u> CITY <u>Los Angeles</u> STATE <u>California</u> ZIP CODE <u>90025</u> Country <u>U.S.A.</u> TELEPHONE <u>(206) 292-8600</u> FAX <u>(206) 292-8606</u> | | |
| Name (PRINT/TYPE): <u>Todd M. Becker</u> Registration No.: <u>43,487</u> Signature: <u>Todd M. Becker</u> Date: <u>4-16-04</u> | | |

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Kolstad et al.

Title BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL (AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND SELECTABLE NOISE FILTER

Attorney Docket No. 5557.P017

Express Mail No.: EV320117633US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

4-16-04
Date

(206) 292-8600
Telephone Number

Todd M. Becker
Signature

Todd M. Becker
Typed or Printed Name

43,487
Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 4264.00

Complete if Known:

Application No. New Patent ApplicationFiling Date HerewithFirst Named Inventor Kolstad et al.Examiner Name Not Yet AssignedArt Unit Not Yet AssignedAttorney Docket No. 5557.P017☐ Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Credit any overpayments.☒ Charge any additional fees during the pendency of this application.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.☐ Charge fee(s) indicated below except for the filing fee.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------------------|------------------|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility application filing fee | <u>770</u> |
| 1002 | 340 | 2002 | 170 | Design application filing fee | _____ |
| 1003 | 530 | 2003 | 265 | Plant filing fee | _____ |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | _____ |
| 1005 | 160 | 2005 | 80 | Provisional application filing fee | _____ |
| SUBTOTAL (1) | | | | | <u>\$ 770.00</u> |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | | | Extra Claims | | Fee from below | | Fee Paid | |
|--------------------|------------|--------|---|--------------|---|----------------|---|-------------|--|
| | | | | | | | | | |
| Total Claims | <u>145</u> | - 20** | = | <u>125</u> | X | <u>18</u> | = | <u>2250</u> | |
| Independent Claims | <u>17</u> | - 3** | = | <u>14</u> | X | <u>86</u> | = | <u>1204</u> | |
| Multiple Dependent | | | | | | | = | | |

**Or number previously paid, if greater; For Reissues, see below.

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Code | Fee (\$) | Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | **Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 3454.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| <u>Large Entity</u> | | <u>Small Entity</u> | | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|-----------------|---------------------|-----------------|--|-----------------|
| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1813 | 8,800 | 1813 | 8,800 | Request for inter parties reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | 40 |
| 1809 | 770 | 2809 | 385 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | |
| 1814 | 110 | 2814 | 55 | Statutory Disclaimer | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (see 37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| 1504 | 300 | 1504 | 300 | Publication fee for early, voluntary, or normal pub. | |
| 1505 | 300 | 1505 | 300 | Publication fee for republication | |
| 1803 | 130 | 1803 | 130 | Request for voluntary publication or republication | |
| 1808 | 130 | 1808 | 130 | Processing fee under 37 CFR 1.17(i) (except provisionals) | |
| 1454 | 1,330 | 1454 | 1,330 | Acceptance of unintentionally delayed claim for priority | |

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Todd M. BeckerSignature: Todd M. Becker Date: 4-16-04Reg. Number: 43,487 Telephone Number: (206) 292-8600

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Our Reference: 5557.P017


Patent

**BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL
(AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND
SELECTABLE NOISE FILTER**

Inventors: Jesse J. Kolstad and Bryan L. Davis

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP


Todd M. Becker
Reg. No. 43,487

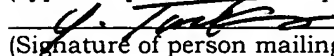
"Express Mail" mailing label number: EV320117633US

Date of Deposit: April 16, 2004

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Yuko Tanaka

(Typed or printed name of person mailing paper or fee)

 April 16, 2004
(Signature of person mailing paper or fee) (Date signed)

| | |
|--|---|
| Serial/Patent No.: New Patent Application | Filing/Issue Date: Herewith |
| Client: Microscan Systems Incorporated | |
| Title: BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL (AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND SELECTABLE NOISE FILTER | |
| BSTZ File No.: 5557.P017 | Atty/Secty Initials: TMB/lma/ytt |
| Date Mailed: April 16, 2004 | Docket Due Date: ***** |
| The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon: | |
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input checked="" type="checkbox"/> Express Mail No.: EV320117633US <input checked="" type="checkbox"/> Check No.: 3481 |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time Amt: \$4264.00 |
| <input checked="" type="checkbox"/> Application - Utility (55 pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.) <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal Amt: _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input type="checkbox"/> Petition for _____ |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) |
| <input checked="" type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts |
| <input checked="" type="checkbox"/> Declaration & POA (4 pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate, (w/ nonpublication request) |
| <input checked="" type="checkbox"/> Drawings: 7 # of sheets includes 7 figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate |
| <input checked="" type="checkbox"/> Other: Certificate of mailing with copy of return postcard signed by attorney | |